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REPRESENTATIVE GOVERNMENT IN THE MACEDONIAN REPUBLICS

BY TENNEY FRANK

We are told¹ that the Romans after deposing Perseus, in 167 B.C., "liberated" the Macedonians, divided the territory into four republics, devised charters for the cities and a definite constitution for the states, laid down certain general regulations concerning revenues, armament, and coinage, and then withdrew. In general we know that the national constitution of the four states provided for an executive of each to be elected annually, that the power to elect these magistrates was vested in primary assemblies which gathered at the respective capitals, and that there was a senate to which very important, if not all, legislative functions were given.

The literary evidence bearing most directly upon the three departments of government can be briefly stated.

1. *The magistrates*.—Livy xlv. 29: "annuos creantes magistratus . . . ibi magistratus creari iussit;" Diod. xxxi. 8. 9: ἐν ταύταις ἀρχηγοὶ τέσσαρες [i.e., one for each state] κατεστάθησαν.

2. *The senate or synedrion*.—Polybius xxxi. 12. 12: δημοκρατικῆς καὶ συνεδριακῆς πολιτείας; Livy xlv. 18: "commune consilium² gentis esset ne improbum³ vulgus . . . libertatem . . . ad licentiam traheret" (explained by the phrase "ut suum quaeque consilium⁴ haberet"); Livy xlv. 32: (from Polybius) "senatores quos synedros vocant legendos esse quorum consilio res publica administraretur."

¹ See Livy xlv. 18, 29, 32; Diod. xxxi. 8. 9; Niese, *Griech. und Maked. Staaten*, III, 180 ff.; Colin, *Rome et la Grèce*, 438 ff.

² The MS reading is *concilium*, but the correctness of the regularly adopted reading is not doubted since the context demands it and Polybius' word *συνεδριακῆς* (xxx. 12) supports it. The MSS constantly confuse *concilium* and *consilium*: see *Thes. L. L.*, s.v. "concilium," col. 45, l. 14.

³ The MSS read *esset improbum vulgi*. The end of the sentence proves that this emendation (of Sigonius) is substantially correct.

⁴ The MS V reads *consilium* correctly, other MSS *concilium*. The context leaves no doubt that V is correct.

3. *The popular assembly*.—Livy xlv. 29: “capita regionum ubi concilia¹ fierent.”

The passages which refer to the executives and to the elective assembly are clear enough and need not detain us. Our interest centers in the synedrion or senate, for in its constitution and powers lies the peculiar character of this government. The evidence does not amount to proof but it points with a high degree of probability to the conclusion (a) that the senate was a representative body,² (b) that it was the real legislative body of the state, and (c) that its ordinances, being the ordinances of a territorial state, resembled in their binding force the laws of modern states. If this be true, the Macedonian state had a republican form of government which was not very different from that of more advanced republics of today.

Our first question is whether the new Macedonian senate can rightly be called a representative body. Of this there can be little doubt. Although the Greeks never, so far as we know, intrusted sovereign power to a representative body, the principle of representation was well known and widely practiced in certain religious and political bodies. In fact, the most obvious method of forming synedria in the numerous leagues and religious unions of Greece was to require each participating state to delegate some degree of power to one or more deputies who might speak for the state at large. This was surely the practice in the Amphictyonic league, the famous Delian league, and the league of the islands, whose representatives were empowered to pass certain ordinances which were intended to be binding upon the members of each league. It does not derogate from the principle as such that these unions had but little real power or significance. Many of the political leagues also delegated power of representation to deputies. We are still in doubt whether the

¹ The reading *concilia* is proved correct by the words that follow: *ibi magistratus creari iussit*.

² The proposal to give each Latin municipality a representation of two members in the senate at Rome (Livy xxiii. 22) was made during the Punic War. The constitution which the seceding Italians established at Corfinium in 90 B.C. seems also to have been representative with a unicameral legislature remarkably like that which Paullus created for the Macedonian republics. In this I follow Diodorus (xxxvii. 2) in preference to Strabo (v. 241), since Diodorus here seems to be following the careful historian Posidonius (see Schwartz, *s.v.* “Diodorus” in Pauly-Wissowa).

synod of the Achaean league was a primary assembly.¹ I am inclined to think that it was, in spite of the contention of Dubois, Lipsius, Beloch, and Swoboda, who believe it a representative body. However, the evidence is more clearly in favor of regarding the old Boeotian,² the Aetolian, and the Lycian synedria as representative bodies, and most authorities would be inclined to add to this list the senates of the Thessalian, Locrian, Acarnanian, and Magnesian leagues. Now, when Paullus shaped the governments of Macedonia he could hardly draw upon Roman ideas for the form of a national senate, since in Macedonia a number of cities had to be equably represented, and Rome had devised no method of government in Italy which did not contemplate the supremacy of the metropolis. Obviously the system of representation in vogue in many of the Greek leagues would better serve the needs of such a state. We may feel sure, furthermore, that if the synod of the Achaean league was actually a primary assembly consisting of such citizens as chose to attend, Paullus, and any other Roman, would have rejected that form in favor of one in which strict order and more clearly defined responsibility prevailed.

How the deputies of the Macedonian states were actually chosen we do not know, nor is this an essential point. The deputies who attended the meetings of the Amphictyonic league were not all appointed in the same way. For example, the *hieromnemes*³ from Athens were assigned by lot while the *pylagorae* were elected by show of hands. The deputies from Aetolia were doubtless elected by acclamation in the general assembly, whereas those from the Macedonian monarchy must have been selected personally by the Macedonian king. And yet all of these deputies were representatives of their various states. The new historical fragment, usually attributed to Theopompus, makes it seem likely that the members of the

¹ Dubois, *Les ligues étolienne et achéenne*, 124; Lipsius, *Verhandl. d. sächs. Gesell. d. Wiss.* (1898); Beloch, *Griech. Gesch.*, III, 2, 183; Swoboda, *Klio* (1911), 458. However, I think Francotte, *Musée Belge* (1906), 5, is nearer the truth in considering the body a primary assembly.

² See Bonner, "The Boeotian Federal Constitution," *Class. Phil.* (1910), 405 ff., Swoboda, *Klio* (1910), 319 ff., and Sokoloff, *Klio*, VII, 67.

³ See Demosthenes xviii. 144; Arist. *Clouds* 623, and Cauer, s.v. "Amphiktyones," Pauly-Wissowa, I, 1923. Trajan ordered the selection of a municipal boule by popular election (Dio Chrys. ii. 74, ed. von Arnim), but this was probably unusual.

Boeotian senate of the fourth century were drawn by lot from among the principal senates of the various cities.¹ Just what method Paullus prescribed for the new Macedonian republics we do not know. It does not seem probable that the members were chosen by lot; for that method little accords with Roman practice and was discouraged even at Athens when the Romans became influential there.² Neither is there any reason to think that Paullus would have introduced such un-Greek methods as selection by censors or by co-optation. If we may hazard a conjecture from a weighing of probabilities we should suggest as most likely that the municipal senates of each district were required to select a given number subject to certain qualifications regarding age, occupation, and wealth.

It is entirely likely, then, that the Macedonian senate was a representative body. A far more important question is whether this body was the real legislative department of the state; otherwise the new constitution would have differed little from that of a large number of already existing Greek leagues. In the ordinary league it was the primary assembly of the populace which had the power of deciding all important questions of war, peace, and membership. The synedrion was usually a counseling body only, which shaped the ordinances and recommended them to the populace. But if one examines the three passages we have quoted above regarding the nature and purpose of the new Macedonian senate one discovers at once that this body was devised for a more important task than merely to give advice. The phrase of Polybius, *δημοκρατικῆς καὶ συνεδριακῆς*, is unfortunately rather noncommittal, but it tells something. When one remembers that Polybius calls the Achaean constitution out and out democratic,³ his addition of *συνεδριακῆς* with reference to Macedonia becomes significant. Apparently the principle of popular government did not hold in Macedonia in the same way as in the Achaean league. Polybius' phrase implies that the new senate had real governmental powers, and the natural

¹ Swoboda, *Klio* (1910), 322.

² Köhler, *CIA*, II, 481; cf. Ferguson, *Klio*, IV, 1-17.

³ Polybius ii. 38: *καθόλου δημοκρατίας ἀληθινῆς σύστημα*. Polyb. xxxi. 25. 2 leaves a strong presumption that Paullus made the Macedonian cities aristocratic. Damasippus killed the synedroi of his native city in Macedonia. That he was a democrat and had done the deed for political reasons may be inferred from the sequel.

interpretation of his phrase would lead to the supposition that while the populace (*δημοκρατικῆς*) was given the elective power, the legislative function was vested in the senate. The passages of Livy go farther. The first attributes to the senate at least the power to control legislation, and it apparently implies that the popular assembly had no right to meddle with serious questions (*ne improbum vulgus*, etc.). The second passage, "senatores . . . quorum consilio res publica administraretur," can only mean that the magistrates were to take their orders from the senate, for the verb *administrare* regularly refers to the functions of magistrates. If Livy is correct in this matter, then the senate is the governing power of the state. It is clear, therefore, that the Macedonian senate had powers that were not usually granted to the federal synedria of the Greek leagues.

There is, of course, one attested instance of a federal senate vested with strong legislative power, namely, that of the Boeotian league¹ of the fourth century. In that government the senate together with the eleven Boeotarchs had the complete and sole right of passing upon all important matters concerning the league. That Boeotian constitution exerted a wide and long-enduring influence in Greece. Athens borrowed important suggestions from it in 411 B.C. Wilhelm (*Sitz. Akad. Wien*, 1911, 165) has recently shown that Philip of Macedon used it as a model for his pan-hellenic union in 338, a union which several of his successors, notably Demetrios, Antigonos, and Philip V, attempted with varying success to renew. It is not at all improbable that the Romans came in contact with some of the ideas which had survived from this old constitution especially when in the years 170-68 they were spending much time in suppressing the democratic elements of the Boeotian league then in existence.

A glance at the nature of the charters which the Romans made for dependent states will prove that the foregoing interpretation of Paullus' constitution accords with a well-marked desire of the Romans to suppress democratic forms in Greece. It would not be fair to say that Roman administrators invariably urged the aristocratic forms of government upon dependents. Often they brought no pressure to bear whatsoever, leaving the natives their old insti-

¹ See Bonner, *loc. cit.*

tutions. Sometimes at the request of a city they even helped restore a democratic form.¹ One should also distinguish with care between the methods of different epochs. During the first half of the second century, for instance, when the Roman senate was so powerful that it practically governed the whole empire and the popular assemblies were in danger of losing all their powers to the senate and senatorial commissions, the foreign representatives of the senate naturally put oligarchic ideas into practice as far as possible. When, however, the democracy came back into power at Rome under the Gracchi, a period of *laissez faire* set in, during which there is little evidence that oligarchic ideas were being urged in the East. Sulla again reverted to the older senatorial methods, and even Pompey, though he had played democratic politics at home for personal reasons, betrayed his Sullan training while in the East by shaping the boules of Bithynia on the Roman-Italian model. Julius Caesar and the emperors, true to a new Roman tendency, turned their attention toward centering the power of initiative in the hands of the magistrates. With this word of caution against confusing the evidence of different epochs, we may consider some illustrations of the senate's earlier methods of revising the charters in dependent cities, keeping in mind all the while that new charters were never imposed upon subjects except where reorganization was requested, or was absolutely necessary because of the wreck of existing conditions.

In the first place, there was in the early period a marked effort to limit membership in the boules by requiring qualifications of wealth and rank, a principle which the Romans had long imposed upon the municipalities of Italy. The charter of Agrigentum² in Sicily had been written by a Scipio (probably Asiagenus, in 193) that of Heraclea by Rupilius in 131, that of Halaesa by a Claudius in 94. In all these cases qualifications of property, age, and occupation were introduced and the principle of election, which had been the custom³ in Sicily, seems to have yielded to that of co-optation.⁴

¹ Dittenberger, *Syll.*¹ 266 (= *Inscr. Gr. Rom. Pert.*, IV, 433). Servilius Isauricus, a proconsul under Caesar, was thanked for giving back autonomy and *δηνοκρατία* to Pergamum (46 B.C.).

² For Agrigentum, Cic. *Verr.* ii. 123; Heraclea, *ibid.*, ii. 125; Halaesa, *ibid.*, ii. 122.

³ Ut leges eorum sunt, suffragiis (*Verr.* ii. 120).

⁴ See Holm, *Gesch. Sic.*, III, 90; the boules of Sicily became important only after the Romans arrived.

Similar qualifications were introduced by Flaminius into the cities of Thessaly which were reorganized in 194. "A censu maxime et senatum et iudices legit, potentiolemque eam partem civitatum fecit cui salva et tranquilla omnia esse magis expediebat," says Livy (xxxiv. 51. 6). Mummius followed the same principle in making charters for the cities of the Peloponnese when he broke up the Achaean league¹ in 146. How early the peculiar Italian method was imposed of requiring a censor to make up the *album* from an ex-magisterial nobility we do not know. Pompey adopted this rule for Bithynia² in 64, but I am inclined to believe that few administrators before his day had applied the rule, since its introduction would have necessitated very drastic changes of government.

The practice of placing the complete responsibility of the government in the hands of the boule must have obtained much more widely than is now attested by authorities. It was of course the ambition of the Roman senate to keep the imperial administration out of the assemblies at home, and the senate had practically succeeded in placing the Italian cities in charge of the *ordo decurionum* of the municipalities. Such staunch senatorials as Scipio, Flaminius, and Paullus could have had little sympathy with the democratic régimes they found in Greece. Just how far they went in the oligarchizing tendencies in Greece we are not told, but we may judge from the results that they went much farther than the direct evidence at present reveals. The fact that Perseus adopted the policy of encouraging democracies when he saw that he must face a war with Rome is enough to prove that the whole of Greece firmly believed and feared that Rome's supremacy would involve a wholesale reorganization in favor of oligarchic government.

Fortunately we possess some inscriptional evidence on this point. A decree passed by the archons and synedrion of Argos without any reference to the demos was recently discovered at Argos (*BCH* [1909], 176). It is placed by its editor about 140 B.C. and seems to imply that some, at least, of the cities of the Peloponnese entirely dispensed with

¹ Pausanias vii. 16. 9: δημοκρατίας μὲν κατέπαυε, καθίστατο δὲ ἀπὸ τμημάτων τὰς ἀρχάς. This is confirmed by the important inscription found at Dyme, Ditt. *Syll.*², 316.

² Pliny *ad Traj.* 79. On Roman interference in general see Chapot, *La province d'Asie*, 196; Swoboda, *Griechische Volksbeschlüsse*, 176 ff.; Liebenam, *Städteverwaltung*, 206 ff.

the popular assembly under the charters given by Mummius in 146. Similarly, an inscription of Andania in Messene, dating from 91 B.C., refers to several important decrees that were passed by the synedroi. The demos is mentioned only with reference to elections (*SIG*², 653). These inscriptions show the direction of the Roman influence even in the cities, and it is clear that the objections to a popular assembly would be far greater in a territorial state where the difficulties of summoning a popular assembly would be more pressing than in a city.

Finally it will be remembered that a great part of the bitter quarrel which the Roman senate had with the Achaean league during the fifteen years prior to the fall of Macedonia was brought on by the democratic element of the Achaean league. Philopoemen and Lycortas, the strong men of that league during this period, constantly labored toward the democratization of the Peloponnese, much to the disgust of the Romans. When the former introduced the democratic policy of calling the league meetings in places accessible to the populace, Fulvius Nobilior, then in Greece, opposed the measure, though without results (*Livy* xxxviii. 30). The same strategos revoked the aristocratic constitution of Sparta and banished its supporters notwithstanding the urgent opposition of Flamininus. This led to an ugly quarrel of ten years which ended only when the senate compelled the league to rescind its action. Similarly, the senate interfered in behalf of the oligarchic element of Messene¹ and compelled the Achaean league to restore to that state its old constitution and position. Roman senatorial envoys like Flamininus, Claudius, Metellus, and Marcius were constantly learning how laborious a task it was to deal with a league whose sovereign congress was a popular assembly, difficult to summon, cumbersome in its methods of procedure, unsympathetic in its personnel, and they finally issued a general edict to the Greek states that the senate "desired all men to be like Callicrates," the pro-Roman leader of the oligarchic party in Achaëa. After his experience with such a league, it is not likely that a consistent senatorial like Paullus would for a moment have thought of taking the Achaean league as a model for his Macedonian republic. At a time when Rome was doing its utmost to break up the Achaean, Aetolian, and Boeotian leagues because the

¹ Polyb. xxii. 13.

democratic assemblies in them were uncontrollable, it is inconceivable that she would consider the formation of a new state on lines that would promise the very same difficulties.

Bearing all this in mind, we must, I believe, give the most natural interpretation to the three passages quoted above relating to the functions of the Macedonian synedrion,¹ and decide that in all probability that body was the sovereign lawmaking body of the new republic and that the concilia were left only elective power.

We come now to the third point, namely, that the new republics were apparently not city-states, nor federations of city-states, but true territorial states. The leagues were of course federations of city-states approaching more or less closely to national unities, but, after all, not one of them, despite the efforts that it may have exerted, ever succeeded in merging its constituent units into a thoroughly welded central government. The citizens of the Achaean league were "Achaeans," to be sure, so far as coinage or war were concerned. But they never lost consciousness of the fact that they were also citizens of what had been separate, independent city-states, city-states which at any moment might again have to stand alone. Not so in Macedonia. The Macedonian² people, because of their common language, their supposed kinship, and their strong centralized government, had long shared in the benefits of a homogeneous territorial state. They had been classed according to cities by the Macedonian kings only for administrative purposes. As regards citizenship, they were always "Macedonians." It lay, then, in the nature of the case that when the new Macedonian republics were formed, they could and of necessity must be unified states with a strong central government, and that these states would be in no danger of disintegrating into separate city-states—a danger which was always imminent in the leagues. And it is in this respect that the new states were perhaps most unlike other ancient republics.

¹ The republics erected by Paullus were overthrown by Pseudo-Philippus so soon that there is little hope of recovering good epigraphical evidence regarding this constitution. But a late inscription, *CIG*, 1999, is somewhat unusual in indicating that the synedri of the Macedonian province still have the power of voting dedicatory inscriptions.

² Inscriptions may some day reveal an earlier *κοινὸν Μακεδονικόν* from which Paullus was able to get suggestions for his governments. See Ditt. *Syll.*² 262, and *BCH* (1911), 441, n. 3.

A word may be in place regarding the position of these new states inside the Roman sphere of influence; for it is usually held that Rome never intended them to be anything but mere tributaries. This view rests mainly upon the fact that they were required to pay Rome a certain annual tax. I do not feel convinced, however, that the inference is justifiable. The combined tax of the four states amounted to only \$100,000 per year, or about one-half of what before had been paid into the royal treasury. It may very well be that Rome did not consider this sum in the light of a tax and that it was not meant to be permanent. Rome as we know had been in the habit of exacting a war indemnity after every successful war by which to pay back the temporary tribute levied upon its own citizens for the costs of the war. Obviously, when the senate decided to remove Perseus and establish republics, no defeated government would be in existence from which to secure such an indemnity. It may be, therefore, that this annual tax was devised in order to reimburse the treasury and that it was considered in the light of interest upon a capitalization of the costs incurred in the war. And it is also conceivable that the Romans intended to remit the exaction as soon as affairs in Greece should go back to a normal condition. Both Carthage and Philip had been excused from a part of their indemnities. There is much in favor of the view that the Roman senate did not at this time desire entangling alliances of any sort in Greece. The obvious course of establishing a provincial government in Macedonia like that in Sicily, Spain, and Sardinia it refused to adopt. It allowed the new states their own coinage, which was always denied subject states. It specified conditions for the support of a native army upon the exposed frontiers, and it refused to take active possession, at least for several years, of the royal estates and mines it had acquired from the deposed Perseus. All this is explicable only on the supposition that the anti-imperialistic party was then supreme in the Roman senate. We know of course that Cato led that party and that he made a strong plea against expansion eastward. We know also that he argued not only on the ground that the diplomatic squabbles necessitated by a policy of interference were costly and useless but also on the ground that contact with Greece was demoralizing Rome. His peroration has been

preserved to us in the *vita Hadriani* (5): "We cannot rule the Macedonians; so we must set them free." It is probable, therefore, that the senate devised the constitutions of the Macedonian republics in all good faith as capable of serving permanent, independent states. They were not, as is often assumed, to serve merely as temporary makeshifts until Rome could with better grace lay hold upon the whole of Greece.

It will be apparent, of course, that the striking points in these constitutions could not all have arisen out of the imagination of one great lawmaker. Paullus like most Romans kept his feet on the solid ground of experience. Some of the good points in his scheme are due to accident. At most, perhaps, Paullus should have the credit of judging clearly and sanely what principles already in practice were applicable in the given circumstances. He dealt with a territory embracing many cities, and therefore the idea of governing by means of deputies which represented the several cities, a plan already in vogue in the leagues, presented itself to him as feasible. His natural prejudice, as a Roman senator, in favor of a strong senate rather than a general assembly, and the sad experiences of the senate in dealing with refractory assemblies in Greece suggested a centralization of the power in the hands of the few. Finally, the unity of the people for whom he was making the charter and the absence of separatistic ideas which existed in leagues composed of city-states presented a condition which was obviously too desirable to alter. Thus, partly by chance, partly through obvious object-lessons, partly because of Paullus' own genius, the first representative territorial republic—if our surmise is correct—came into existence.

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